

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA

v.

MARGARET MATHES ET AL.

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DOCKET NO. 13-cr-10276-MLW

ASSENTED TO MOTION TO CONTINUE SENTENCING HEARING

Now comes counsel for defendant Margaret Mathes moves to continue the sentencing hearing in this matter, currently scheduled for March 2, 2015 to a date convenient to the Court and the parties sometime the week of March 23, 2015. The Assistant United States Attorney assigned to this case, Andrew Lelling, assents to this request. Two other defendants in the case - Sam Pich, represented by John Cuhna, and Thaworn Promket, represented by Victoria Kelleher – also assent to this request. As of the time of the filing of this motion, undersigned counsel has not been able to obtain co-defendant Boseba Prum’s position.

As grounds for this request, counsel states that the government filed a supplemental sentencing memorandum yesterday, February 23, 2015, in which they allege that Ms. Mathes has exaggerated her claims of dementia and has made misrepresentations regarding her symptoms, all in an effort “manipulate the Court,” despite the report of a neurologist who relied on changes in neuroimaging studies of Mathes’ brain to diagnosis her with Alzheimer’s Disease in October 2014. The government relies on surveillance conducted of Mathes where she was seen at her house on three occasions (as opposed to her daughter’s house where she reported she would be living), where she was seen driving, and where she was seen shoveling snow on one occasion. The government also alleges that the fact that Mathes has conducted banking transactions, as well as the fact that she has been able to participate in various stages of the proceedings in this case,

refute her claims of dementia. The government requests an enhancement for obstruction of justice based on Mathes's alleged misrepresentations. Counsel needs additional time to investigate these claims, and consult with a neurologist regarding the nature of Alzheimer's disease generally and Ms. Mathes' condition specifically in order to refute the government's claims. Counsel needs more than the one week between the date of the government's submission and the sentencing hearing because she is currently preparing for trial in the matter of *United States v. Steve Nolte a/k/a George France*, No. 13-cr-10247-DJC, scheduled to commence on March 2, 2015.¹ For these reasons, counsel requests a continuance of the sentencing hearing in this matter until some date during the week of March 23, 2015.

MARGARET MATHES,
By her Attorney,

/s/ Jane F. Peachy
Jane F. Peachy, BBO#661394
Assistant Federal Public Defender
Federal Defender Office
51 Sleeper Street, 5th Floor
Boston, MA 02210
Tel: 617-223-8061

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on February 24, 2015.

/s/ Jane F. Peachy
Jane F. Peachy

¹ Undersigned counsel will then be out of the country from March 13 through March 19, 2015.